PTO/SB/08B (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO	Complete if Known			
	Application Number	10/774,157		
INFORMATION DISCLOSURE	Filing Date	February 6, 2004		
STATEMENT BY APPLICANT	First Named Inventor	Eisermann et al.		
(Use as many sheets as necessary)	Art Unit	3738		
Total as many should be necessary,	Examiner Name	unknown		
Sheet 1 of 1	Attorney Docket Number	31132.123 (PC888.00)		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
PP	A1	T. HOOGLAND et al., "Total Lumbar Intervertebral Disc Replacement: Testing of a New Articulating Spacer in Human Cadaver Spines," 24th Annual ORS, February 21-23, 1978, page 102, Dallas, Texas	

Examiner Signature	/Pedro Philogene/	Date Considered	08/06/2006

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of Information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In place of PTO-1449 Form	U. S. DEPAR PATENT AND	TMENT O	F COMMERCE IARK OFFICE		Complete if Known
		🐫 FEB	2 5 2005	Application Number	10/774,157
INFOR	RMATION D) ŠÇLC	SURE	Filing Date	February 6, 2004
STAT	EMENT BY	APPL	CANT	Applicant(s)	Eisermann, et al.
(us	e as many sheets	as neces	ery)	Art Unit	3738
				Examiner Name	Unknown
SHEET	1	OF	1	Attorney Docket Number	31132.123

			U. S. PATENT DOCL	JMENTS
Examiner's Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document
			 	
		······································		
		<u>.</u>		
			<u> </u>	
				-
			 	

			FOREIGN PATENT	DOCUMENTS	
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation
PP	B1	WO 2004/108015 A2	12/16/2004	Ferree	. Y
			 		
					
			<u>. </u>		

		NON-PATENT LITERATURE DOCUMENTS
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume- issue number(s), publisher, city/country where published

Examiner	/Dadas Dhillamana/	Date	
Cinnatura	/Pedro Philogene/		08/06/2006
Signature		Considered	00,00,2000

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

				\0\'\ \chi \\	:	
In place of PTO-1449 Form			F COMMERCE MARK OFFICE	SEP 2 1 2004	Complete if Known	
A				application Number	10/774,157	
INFO'	RMATION D	ISCLC	SURE	Riso Date	February 6, 2004	
STAT	TEMENT BY	APPL	ICANT	Application	Eisermann, et al.	
(us	se as many sheets	as neces!	sary)	Art Unit	3738	
<u> </u>				Examiner Name	Unknown	
SHEET	1	OF	1	Attorney Docket Number	31132.123	

			U. S. PATENT DO	DCUMENTS
Examiner's Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document
PP	A1	5709683	01/20/1998	Bagby
			<u> </u>	
				
			<u> </u>	
	_			
			 	
			ļ	

			FOREIGN PATENT	DOCUMENTS	
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation
PP	B1	FR 2 742 653 A1	06/27/1997	COLORADO SOCIETE A RESPONSABILITE LIMITEE	N
PP	B2	WO 01/01893 A1	01/11/2001	SPINE SOLUTIONS, INC., et al.	Abstract

		NON-PATENT LITERATURE DOCUMENTS
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published

Evamina			
Examiner	/n - d /	I Date	
Signature	/Pedro Philogene/		08/06/2006
Olgriature		Considered	00,00,2000
8			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

in place of U. S. DEPARTMENT OF COMMERCE PTO-1449 PATENT AND TRADEMARK OFFICE Complete if Known Form Application Number 10/774,157 INFORMATION DISCLOSURE Filing Date 02/06/2004 TATEMENT BY APPLICANT Applicant(s) Eisermann, et al. Art Unit 3738 (use as many sheets as necessary) **Examiner Name** Unknown SHEET OF 2 Attorney Docket Number 31132.123

		· · · · · · · · · · · · · · · · · · ·	U. S. PATENT DO	CUMENTS	
Examiner'	s Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of	f Cited Document
PP	A1	2003/0069586	04/10/2003	Errico, et al.	
	A2	2003/0074068	04/17/2003	Erri∞	
	A3	2003/0097134	05/22/2003	Kunzler	
	A4	2003/0176923	09/18/2003	Keller, et al.	
	A5	2003/0208273	11/06/2003	Eisermann, et al.	
	A6	2004/0024460	02/05/2004	Fеrree Ferree	
	A7	2004/0034426	02/19/2004	Errico, et al.	
	A8	2004/0034421	02/19/2004	Errico, et al.	
	A9	4759766	07/26/1988	Buettner-Janz	
	A10	4997432	03/05/1991	Keller	
	A11	5246458	09/21/1993	Graham	-,-
	A12	5258031	11/02/1993	Salib, et al.	
	A13	5314477	05/24/1994	Marnay	
	A14	5401269	06/20/1995	Buettner-Janz, et al.	
	A15	5425773	04/16/1996	Boyd, et al.	
	A16	5507816	09/17/1996	Bullivant	
	A17	5534029	07/09/1996	Shima	
	A18	5556431	09/17/1996	Buettner-Janz, et al.	
	A19	5562738	10/08/1996	Boyd, et al.	
	A20	5571109	11/05/1996	Bertagnoli	
	A21	5674296	10/07/1997	Bryan, et al.	
	A22	5676701	10/14/1997	Yuan, et al.	
$-\mathbf{A}$	A23	5683394	11/04/1997	Rinner	
			FOREIGN PATENT	DOCUMENTS	
Examiner's Initials	S Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation YN
PP	B1	EP 0 560 140	02/25/1993	Waldemar Link GmbH & Co	N
	B2	EP 0 560 141	02/25/1993	Waldemar Link GmbH & Co	N
	В3	EP 0 747 025	12/11/1996	Smith & Nephews Richards, Inc.	у
	B4	EP 0 820 740	01/28/1998	Bryan, et al.	Υ
	B5	WO 99/00074	01/07/1999	Brid-Port-Gundry PLC	у
	B6	WO 99/05995	02/11/1999	Gordon, Maya, Roberts & Thomas Number 1 LLC	у
	B7	WO 99/53871	10/28/1999	Cauthen Research Group, Inc.	Υ
Δ	B8	WO 00/42954	07/27/2000	Osteotech, Inc.	у

NON-PATENT LITERATURE DOCUMENTS					
Examiner's Cite Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-					
Initials	No.	issue number(s), publisher, city/country where published			
PP	C1	Medtronic Sofamor Danek, "MAVERICK Total Disc Replacement", brochure, published 12/2002, pp. 1-6.			

Examiner Signature /Pedro Philogene/ Date Considered 08/06/2006				
Signature / Fed16 Fil110gene/ Considered 06/06/2006		/Pedro Philogene/	Date	00/06/2006
	Signature	/ Fedio Filliogene/	Considered	08/08/2008

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

In place of PTO-1449
PATENT AND TRADEMARK OFFICE

Application DISCLOSURE
Applicant
(use as many sheets as necessary)

Articles

Applicant
Applican

OF

2

16 2 1 150

Complete if Known				
Application Number	10/774,157			
Filing Date	02/06/2004			
Applicant(s)	Eisermann, et al.			
Art Unit	3738			
Examiner Name	Unknown			
Attomey Docket Number	31132.123			

U. S. PATENT DOCUMENTS						
Examiner's Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document		
00	A24	5683465	11/04/1997	Shinn, et al.		
AY	A25	5755796	05/26/1998	Ibo		
1	A26	5782832	07/21/1998	Larsen, et al.		
	A27	5865846	02/02/1999	Bryan, et al.		
	A28	5888226	03/30/1999	Rogozinski		
	A29	5895428	04/20/1999	Berry		
	A30	5899941	05/04/1999	Nishijima, et al.		
	A31	6001130	12/14/1999	Bryan, et al.		
	A32	6019792	02/01/2000	Cauthen		
	A33	6063121	05/16/2000	Xavier		
	A34	6113637	09/05/2000	Gill, et al.		
	A35	6146421	11/14/2000	Gordon, et al.		
	A36	6224607	05/01/2001	Michelson		
	A37	6228118	05/08/2001	Gordon		
	A38	6368350	04/09/2002	Erickson, et al.		
	A39	6440139	08/27/2002	Michelson		
	A40	6517544	02/11/2003	Michelson		
	A41	6517580	02/11/2003	Ramadan, et al.		
1/	A42	6645249	11/11/2003	Ralph, et al.		
T.	A43	6562045	05/13/2003	Gil, et al.		
VII	A44	6692501	02/17/2004	Michelson		

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation Y/N
					-
		· · · · · · · · · · · · · · · · · · ·			

NON-PATENT LITERATURE DOCUMENTS					
Examiner's	Cite	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-			
Initials	No.	issue number(s), publisher, city/country where published			
	1				

Examiner Signature	14-1	Date Considered	8/6/06
+ 3		- Canada de Caracita de Caraci	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

R-81660_1.DOC

Customer No. 000027683